

ADDRESS OF DAVID COLLINS

PRESIDENT OF THE CAYMAN ISLANDS LEGAL PRACTITIONERS ASSOCIATION

AT THE OPENING OF THE GRAND COURT ON 13 JANUARY 2021

My Lord Chief Justice, Honourable Judges of the Grand Court, Honourable Chief Magistrate, Honourable Magistrates, Honourable Attorney General, Madam Solicitor General, my colleagues at the Bar, our Special and Distinguished Guests, Ladies & Gentlemen.

If it may please my Lord.

My Lord, on this my third and final address at the opening of the Grand Court there is much to celebrate. Today is an opportunity to highlight the significant achievements of the legal profession over the past year, and the role that CILPA has played in advancing the profession over that time. During this period, CILPA has played an important role in the passing of the Legal Services Bill. CILPA has also advanced the profession's Education Reform initiative and has made a significant contribution to the jurisdiction's successful response to the Covid crisis. I want to use the occasion of this Grand Court opening to raise awareness of CILPA's contribution in these areas.

Legal Services Bill

Firstly, My Lord, we must celebrate the long-awaited passing of the Legal Services Bill and acknowledge CILPA's immense contribution to achieving this milestone. Through a dedicated working group, CILPA worked tirelessly to help to secure this landmark legislation. The CILPA working group engaged in a detailed consideration of the policy

issues, supported the Hon. Attorney General's drafting team, and engaged extensively with stakeholders throughout the process. The CILPA council also consulted widely with members of the legal profession, engaging in dozens of meetings with stakeholders and securing critical industry support for the Bill. CILPA's work, alongside that of the Hon. Attorney General and his drafting team, formed the basis of the Bill that was finally passed into law in December 2020.

After more than 50 years without substantive legal services reform and many previous failed attempts, I am immensely proud of the work done by this CILPA Council to advance this legislation and contribute to this historic achievement for the profession. My Lord, this Bill achieves the much-needed regulatory reforms, ensures that Cayman Islands legal services remains accessible to our global clients, and creates a platform from which our profession can develop and flourish in areas such as legal education and the development and progression of Caymanian attorneys.

My Lord, on this issue of developing and progressing Caymanian attorneys; we have *for the first time* the Professional Development Regulations, 2020. These Regulations provide a framework for the training and advancement of Caymanian attorneys within law firms. My Lord, I call on all law firms to embrace the spirit of these Regulations. These Regulations envision a future in which Caymanian attorneys have a more prominent role within law firms. They envision that the training, development and progression of Caymanian attorneys will be central to the strategy of every law firm, resulting in the development of a more sustainable legal sector. A legal sector which includes more Caymanians in senior roles as equity partners and managing partners of law firms in these Islands. My Lord, to every law firm I say clearly – there are no more excuses.

Education Reform

My Lord, in my remarks last year I reaffirmed CILPA's commitment to work with the Truman Bodden Law School on education reform. I am pleased to report that CILPA has worked with the law school to redevelop the Professional Practice Course. The result of this work, my Lord, is that *for the first time* the PPC will feature a new International Transactions module. This module will train PPC students on the key aspects of cross-border transactions. Together with representatives of the law school, a working group of CILPA members has written the curriculum for this new module, has identified attorneys to lecture and assess the module, and has supported the law school's efforts to have the PPC re-accredited by Oxford Brookes in the UK. My Lord, this is a significant achievement. Our PPC students will benefit immeasurably from direct training on cross-border transactions, and from the exposure to the many CILPA members who are expert practitioners and who have volunteered to lecture on this new course.

I want to thank Scott Atkins and Mitchell Davies of the law school for the opportunity for CILPA and the law school to work together on this important initiative.

My Lord, while much has been achieved, education reform can't stop with the redevelopment of the PPC. That is why the new Legal Services Bill creates a framework to further develop legal education. My hope is that we will see new advances in legal education, leading to a mandatory continuing professional development regime for all attorneys.

Covid Crisis

My Lord, it would impossible to deliver these remarks without mention of CILPAs role supporting our jurisdiction during the Covid crisis. CILPA played a key role during this crisis in supporting the Government with the implementation of legislation necessary to protect our economy. CILPAs role included reviewing, proposing and advancing the Notaries Public (Virtual Conduct of Notarial Acts) Regulations, 2020, the Property (Miscellaneous Provisions) (Amendment) Bill, 2020 and the Electronic Transactions Act (2003 Revision). CILPA's work on this legislation was essential to the efficient functioning of our financial services industry during the Covid crisis.

Bereavements

My Lord, in 2020 the legal fraternity mourned the passing of John Harding. John joined Maples and Calder in the very early days of 1973. He was a partner there for many years before retiring in 1982. During his time in practice, John played a part in the development of the Cayman Islands as a financial services center. Following retirement, he remained an active member of the community. John will be greatly missed by the legal fraternity. We send our condolences to his family, friends and colleagues.

Expressions of Gratitude.

My Lord, I want to thank all who contributed to CILPA's work on the important initiatives which I mentioned earlier. We owe them an immense debt of gratitude. They include CILPA Council members Richard Barton, Erik Bodden, Wanda Ebanks, Cline Glidden, David Ritch and Alasdair Robertson. Those who contributed to CILPAs work on education

reform; Alexandra Woodcock and John Dykstra. Thank you all for doing the work that goes unseen to so many, but from which we all benefit.

I also wish to extend a warm note of thanks to the Hon. Premier and the Hon. Attorney General, for their steadfast determination to pass the Legal Services Bill, and to the legal draftsman Ms. Karen Stephen-Dalton. Finally, my Lord, I wish to thank the court staff. The court staff have coped admirably with the challenges of the Covid crisis over the past year, issuing practice directions to assist with the electronic filing of documents, and implementing new processes to ensure that the Courts continued to operate efficiently. On behalf of the legal profession, I extend our gratitude to the court staff for keeping the Courts running well during such trying times.

Now it remains only for me to formally second the Hon. Attorney General's motion to open the Grand Court for the year 2021, and to take this opportunity to wish Your Lordship, Judges, court staff and fellow members of the legal profession a very happy and prosperous New Year.

David Collins

President, Cayman Islands Legal Practitioners Association